

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ALCOHOLIC BEVERAGE CONTROL BOARD

ROLL CALL HEARING

Monday, August 18, 2014

2000 14th Street N.W., Suite 400S
Washington, D.C. 20009

10:07 A.M.

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BARDO, LLC, t/a BARDO :
1200-1216 Bladensburg Road, NE: Roll Call
License #ABRA-090430 : Hearing
Retailer CT Substantial Change:
Entertainment Endorsement :
Case #14-PRO-00053 :
:

PRESENT:

LaVERNE FLETCHER, Agent

1 P-R-O-C-E-E-D-I-N-G-S

2 10:07 a.m.

3 AGENT FLETCHER: Would the parties
4 in the matter of BARDO please come forward.
5 The parties in the matter of BARDO.

6 This is Case Number 14-PRO-00053,
7 BARDO, LLC, trading as BARDO, 1200-1216
8 Bladensburg Road, Northeast. License Number
9 ABRA-090430. This is a Retailer CT,
10 Substantial Change (Entertainment
11 Endorsement).

12 The protest issues are adverse
13 impact on peace, order and quiet.

14 My name is LaVerne Fletcher and
15 I'm conducting the Roll Call Hearing as the
16 Board's Agent pursuant to D.C. Official Code
17 16-01.2.

18 The Applicant is on this side.
19 The Applicant will be on this side. The
20 establishment will be on this side.

21 Thank you.

22 So, is the Licensee present?

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202-234-4433 Neal R. Gross and Co., Inc.
Washington DC www.nealrgross.com

1 push right there on the bottom.

2 MS. HENDERSON: Okay.

3 AGENT FLETCHER: Thank you very
4 much.

5 I just need to get some clarity on
6 how the protest was filed.

7 According to the protest file,
8 ANC-5D filed the protest. Is there anybody
9 from ANC-5D present?

10 MS. HENDERSON: I am the
11 chairperson representing ANC-5D. My name is
12 Kathy Henderson.

13 AGENT FLETCHER: Okay, Ms.
14 Henderson. So, ANC-5D does have standing as
15 a Protestant?

16 MS. HENDERSON: Yes.

17 AGENT FLETCHER: So, I noticed the
18 way the protest letter is written there are
19 also names of individuals --

20 MS. HENDERSON: Yes.

21 AGENT FLETCHER: -- in the protest
22 letter. What I'm going to do I'm going to

1 grant standing to ANC-5D because ANC-5D has
2 standing as a Protestant. The individuals,
3 Ms. Henderson I assume are your constituents?

4 MS. HENDERSON: Yes, and they are
5 affected neighbors.

6 AGENT FLETCHER: And they are
7 affected neighbors. I am not going to grant
8 standing to you as individuals. I'm only
9 going to grant standing to the ANC and I'll
10 tell you why I'm going to do that. I'm only
11 going to grant standing to the ANC because
12 what I have here is, I actually don't have a
13 protest letter from you but I do have a letter
14 from Ms. Henderson where it states that she is
15 authorized to represent you but I would need
16 a protest letter from you directly to say, we
17 protest the application and then Ms. Henderson
18 is representing us. But I know already that
19 Ms. Henderson will be representing you anyway
20 because you're her constituents so I know that
21 you will still have representation.

22 MS. HENDERSON: Ms. Fletcher, if I

1 may.

2 AGENT FLETCHER: Yes.

3 MS. HENDERSON: The signatures --
4 the names on the signatures are reflected in
5 the letter also gives standing to each of the
6 neighbors that are here today and the law does
7 provide that a party of five or more and the
8 ANC can have standing. So, I would
9 respectfully request that every member that is
10 here today be given standing in addition to
11 ANC-5D.

12 AGENT FLETCHER: I'm going to re-
13 read the protest letter and take your request
14 into consideration, Ms. Henderson. Just give
15 me one second. I'm going to re-read the
16 protest letter.

17 Okay. Ms. Henderson, I am going
18 to grant standing to the individuals --

19 MS. HENDERSON: Thank you.

20 AGENT FLETCHER: -- but I'll tell
21 you the reason just for the record.

22 The protest letter although it was

1 from the ANC-5D on ANC-5D's letterhead, it
2 does state that the letter represents the
3 protest filed by a group of five or more
4 residents. And normally that letter would be
5 separate. But it is included in your letter.
6 So, I'll ask the individuals present, was it
7 your intent to file a protest as individuals?

8 GROUP: Yes.

9 AGENT FLETCHER: Okay. So, that's
10 all I need to know.

11 So, the next thing I need to know
12 is who is present from the group of
13 individuals today? If you will state your
14 name and spell it for the record, please.

15 MS. HARRISON: Darlene Harrison, D-
16 A-R-L-E-N-E H-A-R-R-I-S-O-N.

17 AGENT FLETCHER: Thank you. And
18 your name, ma'am?

19 MS. CELEY: Patricia Celey, P-A-T-
20 R-I-C-I-A C-E-L-E-Y.

21 AGENT FLETCHER: C-E-L-E-Y?

22 MS. CELEY: Yes. Just a second.

1 MR. HART: Ronnie Hart.

2 AGENT FLETCHER: I'm sorry. I'm
3 sorry.

4 MR. HART: Ronnie Hart. R-O-N-N-I-
5 E H-A-R-T.

6 MR. JOHNSON: Robert Johnson. R-O-
7 B-E-R-T J-O-H-N-S-O-N, Sr.

8 MS. PATTERSON: Patricia Patterson-
9 Johnson. P-A-T-R-I-C-I-A P-A-T-T-E-R-S-O-N
10 - J-O-H-N-S-O-N.

11 MS. DAVIS: Joyce A. Davis. J-O-Y-
12 C-E A. D-A-V-I-S.

13 AGENT FLETCHER: Thank you.

14 MR. JACKSON: Benjamin Jackson, B-
15 E-N-J-A-M-I-N J-A-C-K-S-O-N.

16 AGENT FLETCHER: Thank you.

17 MR. JACKSON: Middle initial J.

18 AGENT FLETCHER: Thank you.

19 And your name, sir? Are you a
20 Protestant? Okay. Let's see here.

21 So, now I'm going to check and
22 make sure that you signed the protest letter.

1 Joyce Davis signed the protest letter. Ronnie
2 Hart signed the letter. Benjamin Jackson,
3 Patricia Celey.

4 Robert Johnson. Mr. Johnson?

5 MR. JOHNSON: Yes, ma'am.

6 AGENT FLETCHER: You did not sign
7 the protest letter. Your name is on the list
8 but you didn't sign.

9 MS. HENDERSON: His signature is
10 there.

11 AGENT FLETCHER: Not on my -- oh,
12 maybe it's -- okay. You put it over -- are
13 you at 1731?

14 MR. JOHNSON: That's correct.

15 AGENT FLETCHER: And, Patricia
16 Johnson, you're at 1731?

17 MS. JOHNSON: That's correct.

18 AGENT FLETCHER: So, standing is
19 granted to a group of seven, the individuals
20 present today.

21 MS. HENDERSON: Thank you. I have
22 a question, Ms. Fletcher.

1 AGENT FLETCHER: Yes.

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3 MS. HENDERSON: Have you heard --
4 have you received any communications from the
5 Applicant regarding their inability to be here
6 today?

7 AGENT FLETCHER: No.

8 MS. HENDERSON: I would like to go
9 on record and the members with me would like
10 to g on record opposing a subsequent request
11 that the Applicant may make to be reinstated
12 to have this application reinstated. There's
13 been no notification to the Alcoholic Beverage
14 Regulation Administration. There's certainly
15 been no communication to any of the parties
16 here before you today. And for those reasons
17 and any other reasons that may become apparent
18 we respectfully request that they not be given
19 standing on this matter for any matters
20 pertaining to a reinstatement request.

21 AGENT FLETCHER: Ms. Henderson, did
22 you put your contact information on that

1 sheet?

2 MS. HENDERSON: I did.

3 AGENT FLETCHER: Because what's
4 going to happen when the order go out
5 dismissing this application you're going to
6 receive a copy of the order as the designated
7 representative for ANC and the group. And the
8 base of minimum request for reinstatement then
9 the Board will ask you to put in writing your
10 opposition so they can consider it at that
11 time. It is on the record as you stated but
12 you'll be asked to make a written submission
13 that you oppose it if they submit a potential
14 reinstatement.

15 MS. HENDERSON: Yes, and I'm
16 prepared to do that.

17 AGENT FLETCHER: Okay.

18 MS. HENDERSON: And, again, I would
19 respectfully request that any reconsideration
20 be dismissed with prejudice.

21 AGENT FLETCHER: Okay. Then the
22 Roll Call Hearing -- well, it's about to be

1 concluded. As I stated, the application for
2 a substantial change is dismissed because the
3 Applicant has failed to appear and the time is
4 approximately 10:20.

5 You were going to ask a question,
6 sir? If you could state your name for the
7 record. You need to come up to the
8 microphone.

9 MR. JOHNSON: Yes, I just wanted to
10 add to my middle initial.

11 AGENT FLETCHER: And what's the
12 first name again?

13 MR. JOHNSON: Robert. Just put
14 Robert Lee and that will be the same as what
15 I signed my name on.

16 AGENT FLETCHER: Is that Robert
17 Johnson?

18 MR. JOHNSON: Yes.

19 AGENT FLETCHER: So, that's Robert
20 Lee Johnson, Sr.?

21 MR. JOHNSON: Senior. Yes.

22 AGENT FLETCHER: Okay. Done.

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MR. JOHNSON: Thank you.

AGENT FLETCHER: Thank you. Okay.

Well, thank you for coming. The
Roll Call Hearing is concluded.

(Whereupon, the above-entitled
matter went off the record at 10:20 a.m.)

<p>A</p> <p>A-R-L-E-N-E 7:16 a.m 1:8 2:2 13:6 ABC 3:11 above-entitled 13:5 ABRA-090430 1:12 2:9 add 12:10 addition 6:10 Administration 1:1 10:14 adverse 2:12 Agent 1:18 2:3,16 3:3 4:3,13,17,21 5:6 6:2,12,20 7:9 7:17,21 8:2,13,16 8:18 9:6,11,15,18 10:1,7,21 11:3,17 11:21 12:11,16,19 12:22 13:2 Alcoholic 1:1,2 10:13 ANC 5:9,11 6:8 11:7 ANC-5D 3:20 4:8,9 4:11,14 5:1,1 6:11 7:1 ANC-5D's 7:1 anybody 4:8 anyway 5:19 apparent 10:17 appear 12:3 Applicant 2:18,19 3:6,10 10:5,11 12:3 Applicant's 3:12 application 3:5,9 3:11,13,14 5:17 10:12 11:5 12:1 approximately 12:4 asked 11:12 assume 5:3 August 1:6 authorized 5:15</p> <p>B</p>	<p>B 8:14 B-E-R-T 8:7 BARDO 1:11,11 2:4,5,7,7 base 11:8 Benjamin 8:14 9:2 Beverage 1:1,2 10:13 Bladensburg 1:12 2:8 Board 1:2 3:9,12 11:9 Board's 2:16 bottom 4:1 business 3:4 button 3:22</p> <p>C</p> <p>C-E 8:12 C-E-L-E-Y 7:20,21 Call 1:3,12 2:15 11:22 13:4 Case 1:14 2:6 Celey 7:19,19,22 9:3 certainly 10:14 chairperson 4:11 change 1:13 2:10 3:5 12:2 check 8:21 clarity 3:17 4:5 Code 2:16 come 2:4 12:7 coming 13:3 communication 10:15 communications 10:4 concluded 12:1 13:4 conducting 2:15 consider 11:10 consideration 6:14 constituents 5:3,20 contact 10:22 CONTROL 1:2 copy 3:8 11:6</p>	<p>correct 9:14,17 CT 1:13 2:9</p> <p>D</p> <p>D 7:15 D-A-V-I-S 8:12 D.C 1:7 2:16 Darlene 7:15 Davis 8:11,11 9:1 days 3:10 designated 11:6 directly 5:16 dismissed 3:6,15 11:20 12:2 dismissing 3:9 11:5</p> <p>E</p> <p>E 8:5 E-N-J-A-M-I-N 8:15 Endorsement 1:13 2:11 Entertainment 1:13 2:10 establishment 2:20</p> <p>F</p> <p>failed 12:3 file 4:7 7:7 filed 4:6,8 7:3 first 12:12 five 6:7 7:3 Fletcher 1:18 2:3 2:14 3:3 4:3,13,17 4:21 5:6,22 6:2,12 6:20 7:9,17,21 8:2 8:13,16,18 9:6,11 9:15,18,22 10:1,7 10:21 11:3,17,21 12:11,16,19,22 13:2 forward 2:4 front 3:22</p> <p>G</p> <p>g 10:10 give 6:14 given 6:10 10:18</p>	<p>gives 6:5 go 10:8 11:4 going 4:22,22 5:7,9 5:10,11 6:12,15 6:17 8:21 11:4,5 12:5 grant 5:1,7,9,11 6:18 granted 9:19 group 7:3,8,12 9:19 11:7</p> <p>H</p> <p>H-A-R-R-I-S-O-N 7:16 H-A-R-T 8:5 happen 11:4 Harrison 7:15,15 Hart 8:1,1,4,4 9:2 heard 10:3 Hearing 1:3,12 2:15 11:22 13:4 Henderson 3:2,21 4:2,10,12,14,16 4:20 5:3,4,14,17 5:19,22 6:3,14,17 6:19 9:9,21 10:3,8 10:21 11:2,15,18</p> <p>I</p> <p>impact 2:13 inability 10:5 included 7:5 individuals 4:19 5:2,8 6:18 7:6,7 7:13 9:19 information 10:22 initial 8:17 12:10 intent 7:7 issues 2:12</p> <p>J</p> <p>J 8:17 J-A-C-K-S-O-N 8:15 J-O-H-N-S-O-N 8:7,10</p>	<p>J-O-Y 8:11 Jackson 8:14,14,17 9:2 Johnson 8:6,6,9 9:4 9:4,5,14,16,17 12:9,13,17,18,20 12:21 13:1 Joyce 8:11 9:1</p> <p>K</p> <p>Kathy 4:12 know 5:18,20 7:10 7:11</p> <p>L</p> <p>LaVERNE 1:18 2:14 law 6:6 Lee 12:14,20 Let's 8:20 letter 3:20 4:18,22 5:13,13,16 6:5,13 6:16,22 7:2,4,5 8:22 9:1,2,7 letterhead 7:1 License 1:12 2:8 Licensee 2:22 list 9:7 LLC 1:11 2:7</p> <p>M</p> <p>ma'am 7:18 9:5 matter 2:4,5 10:19 13:6 matters 10:19 member 6:9 members 10:9 microphone 12:8 middle 8:17 12:10 minimum 11:8 Monday 1:6</p> <p>N</p> <p>N.W 1:7 name 2:14 4:11 7:14,18 8:19 9:7 12:6,12,15 names 4:19 6:4</p>
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